

CITY-COUNTY GENERAL ORDINANCE NO. 107, 1997
Proposal No. 207, 1997

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 97-AO-7

A GENERAL ORDINANCE amending the Sign Regulations of Marion County, as amended.

WHEREAS, IC 36-7-4, as amended establishes a single planning and zoning authority in counties having consolidated cities and grants certain powers relative the zoning and districting of land to the Metropolitan Development Commission and the City-County Council of such counties having consolidated cities, in order to unify the planning and zoning functions thereof; and,

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, has adopted and certified, pursuant to IC 36-7-4, as amended, various segments of its Comprehensive Plan of Marion County, Indiana; and

WHEREAS, said IC 36-7-4, as amended, empowers the Metropolitan Development Commission of Marion County, Indiana, after such comprehensive plan certification, to recommend to the City-County Council an ordinance or ordinances for the zoning or districting of all lands within the County to the end that adequate light, air, convenience of access and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that property values may be preserved; and the public health, safety, comfort, morals, convenience and general public welfare may be promoted;

WHEREAS, the Metropolitan Development Commission and the City-County Council desire to address the needs of the citizens of Marion County in preparing an ordinance which meets the long-term needs of the City/County as a whole; and,

WHEREAS, there has been a proliferation of outdoor cafes within the Regional Center; and,

WHEREAS, it is the desire to increase the excitement and vibrancy of the Regional Center; and,

WHEREAS, increasing the use of outdoor cafes and increasing pedestrian oriented activities is part of the focus of the 1991 Regional Center Plan; and,

WHEREAS, the originally drafted Cafe Ordinance of the City of Indianapolis anticipated signs would be used in connection with cafes; and,

WHEREAS, the Sign Ordinance as it is presently does not permit signs in the public right-of-way, even in concert with an outdoor café; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Sign Regulations of Marion County, Appendix D, Part 19, of the Municipal Code of Indianapolis and Marion County, Indiana, as adopted under Metropolitan Development Commission Docket Numbers 71-AO-4, 86-AO-1, 88-AO-3, 90-AO-2, 91-AO-2, and 94-AO-10, is further amended by adopting the language as follows:

A. that Section 2.20, A shall be amended by adding the underscored language as follows:

Signs in the Public Right-of-Way

No sign or sign structure may be placed on or in the right-of-way of an alley or street, with the exception of government and public signs and signs associated with an approved outdoor cafe within the Regional Center, (as noted in Section 2.40, K.) or projecting signs permitted by this ordinance and having obtained an encroachment license from the proper governmental agency.

B. that Section 2.40 shall be amended by adding the following language:

K. Standards for outdoor cafe signs within the Regional Center:

A sign shall be :

1. No larger than 2' by 2' with an option being that the material may be of slate or plastic where the daily special may be advertised.
2. If the sign is one-sided, then the outdoor cafe owner may erect two signs perpendicular to the building (one for persons approaching the cafe from each direction).
3. If the sign is two sided, then the outdoor cafe owner may erect the free-standing sign on the interior of the outdoor seating area designated for the cafe.
4. The sign, if one-sided, may be linked or attached to the chain, lattice-work or fence which defines the outer limits of the outdoor cafe.
5. Such outdoor signs may remain in place from 7 a.m. to 10 p.m.

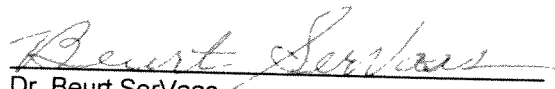
SECTION 2. If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 3. This ordinance shall be in full force and effect upon its adoption in compliance with IC 36-7-4.

The foregoing was passed by the City-County Council this 23rd day of June, 1997 at 9:25 p.m.

ATTEST:


Suellen Hart, Clerk, City-County Council



Dr. Beurt SerVaas
President, City-County Council

STATE OF INDIANA, MARION COUNTY)
CITY OF INDIANAPOLIS) SS:
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I, Suellen Hart, Clerk of the City-County Council, Indianapolis, Marion County, Indiana, do hereby certify the above and foregoing is a full, true, and complete copy of Proposal No. 207, 1997, a Proposal for GENERAL ORDINANCE, passed by the City-County Council on the 23rd day of June, 1997, by a vote of 26 YEAS and 0 NAYS, and was retitled General Ordinance No. 107, 1997, and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Indianapolis, Indiana, this 27th day of June, 1997.

(SEAL)


Suellen Hart, Clerk, City-County Council